

## STATEMENT OF CHAIRMAN AJIT PAI

Re: *Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment*, WC Docket No. 17-84; *Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment*, WT Docket No. 17-79.

Last year, I visited Detroit. Some long ago wrote off the Motor City, but as I saw for myself, there's an unmistakable energy and optimism to the place. Part of the reason why is Rocket Fiber. This small startup is aiming to provide high-speed, high-quality Internet access to residents and increase competition along the way. From a boxing ring to a mobile van that they use to sign up customers, I could feel the enthusiasm for the company's work, and by extension, the city's future.

But Rocket Fiber faces some big hurdles—among them the difficulty of attaching its broadband equipment to utility poles. For a competitive entrant, especially a small company, breaking into the market can be hard, if not impossible, if your business plan relies on other entities to make room for you on those poles. Today, a broadband provider that wants to attach fiber or other equipment to a pole first must wait for, and pay for, each existing attacher to sequentially move existing equipment and wires. This can take months. And the bill for multiple truck rolls adds up. For companies of any size, pole attachment problems represent one of the biggest barriers to broadband deployment.

All of this got me thinking about a policy that would allow a single entity to do the requisite work on the utility pole—a policy commonly known as “one-touch make-ready.” Today, we adopt one-touch make-ready (OTMR) in order to help accelerate broadband deployment and competition across the country.

OTMR promises to substantially lower the cost and shorten the time to deploy broadband on utility poles. It allows a new provider who wants to attach to a pole to move all the wires and equipment in just one “touch.” It's a bit like having to go to the grocery, the dry cleaner, and the bank. The slow way to do this would be to visit each business but return home each time. The rational thing we all do is to do each errand, one after the other, all on one trip. That's essentially what OTMR is.

Also, we make clear today that it is a violation of federal law for states or localities to impose moratoria on broadband deployment. There may be many reasonable ways local governments can regulate network deployments in their jurisdiction, but blocking competition and better services for American consumers is not one of them.

Let me address several claims about the OTMR process which have been raised. Some have said that state law will not provide sufficient protection for existing attachers and that we need new attachers to broadly indemnify existing attachers. I certainly believe new attachers should be responsible for damage they cause, which is why we've put in place protections. But Google Fiber has explained that blanket indemnification “would tilt the playing field even further toward existing attachers” and “would expose new attachers to potentially unbounded liability—and without any corresponding benefit.”

It's also been suggested that OTMR undercuts collective bargaining agreements. Again, Google Fiber points out that “no other proposal is more self-serving than . . . insistence that new attachers be obligated to honor existing attachers' collective bargaining agreements . . . . Google Fiber has no problem using union contractors that have been approved by the pole owner. But the reality is that, in many areas, no such contractors exist; instead, in some of these places, the only [union] members covered by . . . collective bargaining agreements are [the] employees [of existing attachers].”

And we've heard that an existing attacher should have veto rights on determinations that make-ready work is simple. Google Fiber lays out how this “would gut OTMR by giving existing attachers the power to decide when OTMR can be used. This would perpetuate the existing power imbalance, in which incumbent attachers have the ability to delay and even prevent deployment of new networks by

competitors.” “By allowing existing attachers to both unilaterally determine whether make-ready is simple or complex . . . , [this proposal] would obliterate those few remedies available to new attachers under the current system and would destroy new attachers’ ability to have any control over the timing of their own deployment.”

This Commission is heading forward, not backward. We’re favoring competition, not status quo. We’re embracing the promise of new entrants that want nothing more than a chance to compete, not the fears of those who always find a way to say no.

Finally, we would not have arrived on this pro-competitive path without the tireless work of the Broadband Deployment Advisory Committee, or BDAC. One of the major recommendations from the BDAC’s work was that the Commission should adopt an OTMR regime. And I’m pleased that today’s *Order* largely follows the path prescribed by the BDAC. I know there were many long hours of debate, and plenty of genuine disagreements, but at the end of the day the BDAC was able to coalesce around a solid, balanced policy. I promised the members of the BDAC early on that they wouldn’t just be marking time. And I stood by my word. Make-ready is not make-work—it is a major step toward better, faster, and cheaper Internet access for all Americans.

Lastly, I want to thank the staff who have worked so hard on this item. From the Wireline Competition Bureau: Annick Banoun, Matthew Collins, Adam Copeland, Dan Kahn, Billy Hupp, Lisa Hone, Dick Kwiatkowski, Kris Monteith, Terri Natoli, Eric Ralph, Mike Ray, Jaclyn Rosen, Marvin Sacks, Deborah Salons, Mason Shefa, Anthony Patrone, and John Visclosky; from the Wireless Telecommunications Bureau: Garnet Hanly, Betsy McIntyre, Jiaming Shang, David Sieradzki, Don Stockdale, and Suzanne Tetreault; from the Enforcement Bureau: Michael Engel, Lisa Griffin, Rosemary McEnery, and Lisa Saks; from the Office of General Counsel: Malena Barzilai, Ashley Boizelle, Tom Johnson, Billy Layton, and Rick Mallen; and from the Office of Strategic Planning & Policy Analysis, Paul LaFontaine.